

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

*In re LastPass Data Security Incident
Litigation*

Case No. 1:22-CV-12047-PBS

MOTION TO DISMISS

Defendants GoTo Technologies USA Inc. and LastPass US LP (collectively “Defendants”) hereby respectfully move this Court, pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), for an order dismissing Plaintiffs’ Consolidated Class Action Complaint on the grounds that: (i) Plaintiffs lack standing under Fed. R. Civ. P. 12(b)(1) to bring claims against Defendants; and (ii) Plaintiffs failed to plead facts sufficient to constitute plausible claims for relief under Fed. R. Civ. P. 12(b)(6). This Motion is supported by the accompanying memorandum of points and authorities filed herewith.

REQUEST FOR ORAL ARGUMENT

Defendants wish to be heard on this Motion and believe that oral argument will help the Court resolve the issues presented. Accordingly, Defendants request, pursuant to Local Rule 7.1(d), that the Court conduct an oral argument on this Motion.

DATED: September 18, 2023

Respectfully submitted,

/s/ Christopher A. Wiech

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*Attorneys for Defendants GoTo Technologies
USA Inc. and LastPass US LP*

CERTIFICATE OF SERVICE

I certify that I electronically filed the foregoing DEFENDANTS' MOTION TO DISMISS with the Clerk of the Court using the CM/ECF system which automatically issues Notice of Electronic Filing to the following counsel of record.

This 18th day of September, 2023.

/s/ Christopher A. Wiech
Christopher A. Wiech